

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION  
February 20, 2008  
Resumed on February 21, 2008**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Special Session at 1:30 p.m., February 20, 2008, in the Tom Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Max W. Wilson, Vice Chairman, District 4; Fulton Brock, District 1 (entered late); and Mary Rose Wilcox, District 5 (entered late). Don Stapley, District 2 attended telephonically. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager and Chris Keller, Chief Counsel, Civil Division. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**1. EXECUTIVE SESSION CALLED**

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (3-0-2) to recess into executive session for the purpose of reviewing matters listed below, pursuant to the listed statutory references. All members remained in session when the meeting reconvened.

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – A.R.S. §38-431.03(A)(3) AND (A)(4)**

**E-1. Scottsdale Memorial Health Systems v. Maricopa County and related cases (Nos. CV1997-021512)**

Sandi Wilson, Deputy County Manager  
Shawn Nau, Director, Health Care Mandates  
Logan Johnston, Outside Counsel  
Bruce White, Deputy County Attorney  
Chris Bradley, Deputy Budget Director

~ Supervisor Brock entered the meeting during this item ~

**LEGAL ADVICE – A.R.S. §38-431.03(A)(3)**

**E-2. Community Development CDBG Program**

Renee Ayers-Benevidez, Director, Community Development Department  
Chris Keller, Chief Counsel  
Andrea Cummings, Deputy County Attorney  
Rob Pulver, Deputy County Attorney

~ Supervisor Wilcox entered the meeting during this item ~

**LEGAL ADVICE – A.R.S. §38-431.03(A)(3)**

**E-3. Community Development HOME Program**

Renee Ayers-Benevidez, Director, Community Development Department  
Chris Keller, Chief Counsel  
Andrea Cummings, Deputy County Attorney  
Rob Pulver, Deputy County Attorney

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION; PURCHASE, SALE OR LEASE OF REAL PROPERTY – A.R.S. §§38-431.03(A)(3), (A)(4) and (A)(7)**

**E-4. Security Building Retail Leases**

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION**  
**February 20, 2008**  
**Resumed on February 21, 2008**

James Foley, Deputy Director, Facilities Management  
Dennis Lindsey, Real Estate Manager  
Julie Schweigert, Stadium District Director  
Bill Scalzo, Consultant  
Brian Hushek, Deputy Budget Director  
Paul Christian, Deputy County Attorney  
Jean Rice, Deputy County Attorney

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION – A.R.S. §38-431.03(A)(3) and (A)(4)**

**E-5. Legal advice for the Board of Supervisors regarding fund transfer agreement between the Maricopa County Special Health Care District and the Maricopa County Treasurer, and how it relates to the Master Intergovernmental Agreement (IGA) between the Maricopa County Special Health Care District and Maricopa County**

Tom Irvine, Outside Counsel, **did not attend**  
Rebekah Francis, Outside Counsel  
Sandi Wilson, Deputy County Manager  
LeeAnn Bohn, Deputy Budget Director  
Chris Bradley, Deputy Budget Director, **did not attend**  
Shawn Nau, Director, General Government

~ Supervisor Wilcox left the meeting and would not return ~  
~ Supervisor Wilson left the meeting and would not return ~

**RECESS EXECUTIVE SESSION AND RECONVENE IN OPEN SESSION**

**2. LETTER REGARDING CLEAN AIR COMMITMENT**

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (3-0-2) to approve a letter seeking support to encourage all Maricopa County residents to take action and take the Clean Air Commitment at [www.RunningOutOfAir.com](http://www.RunningOutOfAir.com). The Board of Supervisors intends to send a letter to the mayors and other stakeholders throughout the Valley seeking their support in Maricopa County's Clean Air Campaign – Running Out of Air. (ADM2351)

**MEETING RECESSED**

Chairman Kunasek recessed the Board at 3:40 p.m. to reconvene at 1:00 p.m. on Thursday, February 21, 2008.

**MEETING RECONVENED**

Chairman Kunasek reconvened open session at 1:00 p.m. on February 21, 2008, in the Tom Sullivan Conference Room with the following members present: Andrew Kunasek, Chairman, District 3; Max W. Wilson, Vice Chairman, District 4; Fulton Brock, District 1; Don Stapley, District 2 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager and Chris Keller, Chief Counsel, Civil Division. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION  
February 20, 2008  
Resumed on February 21, 2008**

**EXECUTIVE SESSION CALLED**

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to recess into executive session at 1:10 p.m. for the purpose of reviewing the matter listed below, pursuant to the listed statutory references. All members remained in session when the meeting reconvened.

**E-5. Legal advice for the Board of Supervisors regarding fund transfer agreement between the Maricopa County Special Health Care District and the Maricopa County Treasurer, and how it relates to the Master Intergovernmental Agreement (IGA) between the Maricopa County Special Health Care District and Maricopa County**

Tom Irvine, Outside Counsel  
Rebekah Francis, Outside Counsel  
Sandi Wilson, Deputy County Manager  
LeeAnn Bohn, Deputy Budget Director  
Chris Bradley, Deputy Budget Director  
Shawn Nau, Director, General Government  
Shelby Scharbach, Deputy Finance Director  
Fred Rosenfeld, Outside Counsel to Mr. Hoskins  
Hos Hoskins, County Treasurer

**MEETING ADJOURNED**

After considering the above item and there being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Andrew Kunasek, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board